



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Patricia Ann Piers  
 Appl. No. : 10/768,755  
 Filed : January 30, 2004  
 For : METHODS FOR OBTAINING  
       OPHTHALMIC LENSES  
       PROVIDING THE EYE WITH  
       REDUCED ABERRATIONS  
 Examiner : Jessica T. Stultz  
 Group Art Unit : 2873

Petition Under 37 CFR §1.313

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Petitioner respectfully request that instant application be withdrawn from issue because the references contained in an IDS received by the Patent Office on January 17, 2006 were not considered by the Examiner. Accordingly a new IDS with these references and Request for Continued Examination are filed along with this petition.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication to Deposit Account No. 502317.

05/09/2006 SDENB0B1 00000024 502317 10768755  
 02 FC:1464 130.00 DA

Dated: May 5, 2006

Respectfully submitted,  
Advanced Medical Optics

By:

David Weber  
 Registration No. 51,149  
 Agent of Record  
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**PETITION FEE****Under 37 CFR 1.17(f), (g) & (h)  
TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

<b>Application Number</b>	10/768,755
<b>Filing Date</b>	January 30, 2004
<b>First Named Inventor</b>	Patricia Ann Piers
<b>Art Unit</b>	2873
<b>Examiner Name</b>	Jessica T. Stultz
<b>Attorney Docket Number</b>	52082DIV

Enclosed is a petition filed under 37 CFR 1.313 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)

The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 502317:

petition fee under 37 CFR 1.17(f), (g) or (h)       any deficiency of fees and credit of any overpayments  
Enclose a duplicative copy of this form for fee processing.

Check in the amount of \$ \_\_\_\_\_ is enclosed.

Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

§ 1.36(a) - for revocation of a power of attorney by fewer than all applicants  
 § 1.53(e) - to accord a filing date.  
 § 1.57(a) - to accord a filing date.  
 § 1.182 - for decision on a question not specifically provided for.  
 § 1.183 - to suspend the rules.  
 § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.  
 § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

For petitions filed under:

§ 1.12 - for access to an assignment record.  
 § 1.14 - for access to an application.  
 § 1.47 - for filing by other than all the inventors or a person not the inventor.  
 § 1.59 - for expungement of information.  
 § 1.103(a) - to suspend action in an application.  
 § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.  
 § 1.295 - for review of refusal to publish a statutory invention registration.  
 § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.  
 § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.  
 § 1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.  
 § 1.956 - for patent owner requests for extension of time in inter partes reexamination proceedings.  
 § 5.12 - for expedited handling of a foreign filing license.  
 § 5.15 - for changing the scope of a license.  
 § 5.25 - for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

§ 1.19(g) - to request documents in a form other than that provided in this part.  
 § 1.84 - for accepting color drawings or photographs.  
 § 1.91 - for entry of a model or exhibit.  
 § 1.102(d) - to make an application special.  
 § 1.138(c) - to expressly abandon an application to avoid publication.  
 § 1.313 - to withdraw an application from issue.  
 § 1.314 - to defer issuance of a patent.

Signature

David Weber

Typed or printed name

May 5, 2006

Date

51,149

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.